

CROMPTON | SEAGER | TUFTE | LLC

Patent, Trademark & Copyright Attorneys

1221 Nicollet Avenue, Suite 800
Minneapolis, Minnesota 55403-2420
Phone 612.677.9050
Fax 612.359.9349

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Fax TransmissionDATE: April 20, 2005

TO: Commissioner for Patents
Attn: Examiner Nguyen, Vi X
P.O. Box 1450
Alexandria, VA 22313-1450

FROM: Glenn M. Seager

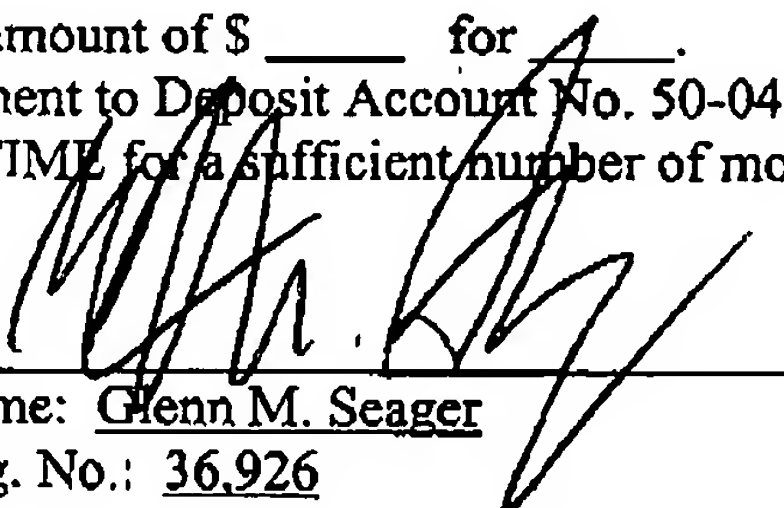
OUR REF: 1001.1351113
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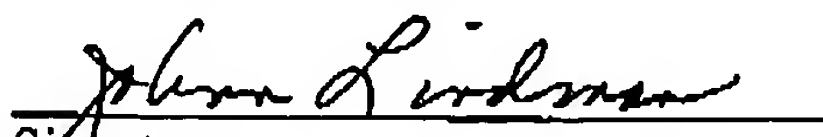
Title of Document Transmitted: Communication
Applicant: John M.K. Daniel
Serial No.: 10/650,303
Filed: August 28, 2003
Group Art Unit: 3731
Our Ref. No.: 1001.1351113
Confirmation No. 6924
Customer No. 28075

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/650,303 Confirmation No.: 6924
Applicant : John M.K. Daniel et al.
Filed : August 28, 2003
TC/A.U. : 3731
Examiner : Nguyen, Vi X
Title : DISTAL PROTECTION DEVICE AND METHOD
Docket No. : 1001.1351113
Customer No. : 28075

COMMUNICATION

Commissioner for Patents
PO Box 1450
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CERTIFICATE UNDER 37 C.F.R. 1.06(d): The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the U.S. Patent and Trademark Office, Fax No. 703-872-9306, on this 20 day of April, 2005.

By


JoAnn Lindman

Dear Sir:

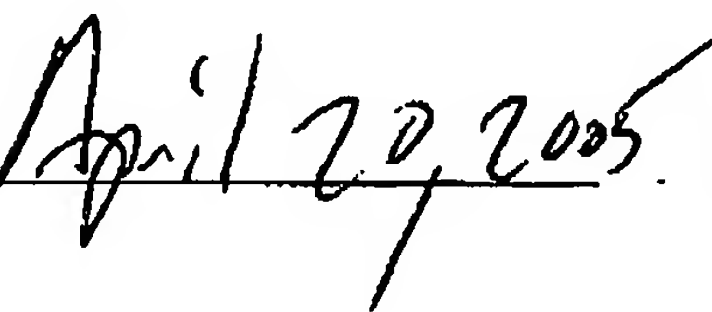
U.S. Patent Nos. 6,663,652 and 6,872,216, members of the same patent family of the above-captioned application have been asserted against an infringer in the U.S. District Court, District of Minnesota. The lawsuit is captioned: Boston Scientific Scimed, Inc., a Minnesota corporation, and Boston Scientific Corporation, a Delaware corporation, Plaintiffs, v. EV3 INC., a Delaware corporation, Defendant, Civil Action No. 05-0651.

Respectfully submitted,

JOHN M.K. DANIEL ET AL.

By their Attorney,

Date:


April 20, 2005

Glenn M. Seager, Reg. No. 36,926
CROMPTON, SEAGER & TUFTE, LLC
1221 Nicollet Avenue, Suite 800
Minneapolis, Minnesota 55403-2420
Tel: (612) 677-9050